

#18646

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
SEISHI KATO, ET AL. )  
Application No.: 09/445,258 )  
Filed: December 1, 1999 )  
For: HUMAN PROTEINS HAVING )  
TRANSMEMBRANE DOMAINS )  
AND DNAs AND ENCODING )  
THESE PROTEINS )  
Examiner: Joseph F. Murphy  
Group Art Unit: 1646  
July 24, 2003

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.136(a)

Sir:

Applicants petition to extend the time for response to the Office Action dated December 4, 2002 to June 4, 2003. A check in the amount of \$930.00 for payment of the extension fee is enclosed. Please charge any additional fee required for the extension in connection with this paper, and credit any overpayment, to Deposit Account 06-1205.

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Adjustment date: 06/14/2004 AKELLEY  
07/28/2003 SSESHE1 00000063 09445258  
01 FC:1253 -930.00 OP  
Repln. Ref: 06/14/2004 AKELLEY 0008292600  
DAH:061205 Name/Number:09445258  
FC: 9204 \$930.00 CR

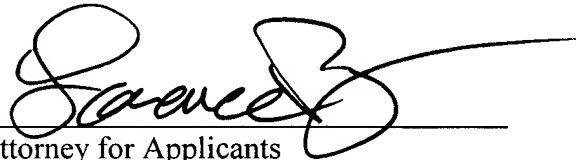
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OFFICE OF PETITIONS

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawrence S. Perry", written over a horizontal line.

Attorney for Applicants  
Lawrence S. Perry  
Registration No. 31,865

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
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PATENT APPLICATION

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OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SEISHI KATO, ET AL.

Application No.: 09/445,258

Filed: December 1, 1999

For: HUMAN PROTEINS HAVING  
TRANSMEMBRANE DOMAINS  
AND DNAs AND ENCODING  
THESE PROTEINS

Examiner: Joseph F. Murphy

Group Art Unit: 1646

July 24, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.137(b)

Sir:

Applicants hereby petition the Commissioner under 37 C.F.R. § 1.137(b) to restore to pending status the above-identified application, which has become unintentionally abandoned for failure to timely file a proper reply to the earlier Office Action (Paper No. 15) dated December 4, 2002.

In accordance with 37 C.F.R. § 1.137(b)(2), enclosed is a check in the amount of \$1280.00 for payment of the fee required under 37 C.F.R. § 1.17(m) in

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connection with the petition. Please charge any additional fees due to Deposit Account No. 06-1205.

#### RESPONSE TO OFFICE ACTION

In accordance with 37 C.F.R. § 1.137(b)(1), attached hereto at Tab A is a Petition for Extension of Time and a check in the amount of \$930.00 to cover the extension fee. Also attached at Tab B is a Change of Correspondence Address request, to ensure that future Patent Office communications reach the undersigned.

In conformity with 37 C.F.R. §137(c), Applicants Response is the accompanying continuing application together with a Preliminary Amendment, an Information Disclosure Statement and a check in the amount of \$1030.00 to cover the filing fee is attached at Tab C.

Pursuant to 37 C.F.R. § 1.137(b)(3), the undersigned hereby certifies that the entire delay in filing the required reply from the due date of the reply until the filing of this grantable petition was unintentional.

#### RELIEF REQUESTED

In view of the foregoing, the Commissioner is respectfully requested to return the above-identified application to pending status.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants

Lawrence S. Perry

Registration No. 31,865

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